

REMARKS

Status of the Claims

Upon entry of the instant amendment, claims 24-47 remain pending in the above-identified application and stand ready for further action on the merits.

In this Amendment, claim 24 has been amended to recite limitations previously recited in claim 18 (and claim 18 has been canceled to prevent a redundancy with amended claims). Claim 25 has been amended so as to depend on claim 24 and remove a redundant phrase. Claims 1-4, 6-7 and 17-23 have been canceled without prejudice or disclaimer of the subject matter contained therein.

Accordingly, the present amendments to the claims do not introduce new matter into the application as originally filed. As such entry of the instant amendment and favorable action on the merits is earnestly solicited at present.

Claim Rejections under 35 U.S.C. §103

Claims 1-4, 6-7 and 17-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kricka et al. US'366 (US 5,744,366) in view of Harrison et al. WO'691 (WO 98/52691).

In the instant amendment, claims 1-4, 6-7 and 17-23 have been canceled. As such, the rejection is effectively rendered moot.

Claim Objection

The Examiner states that claims 24-25 would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter in this application. Claim 24 has been rewritten into independent form, and should therefore be allowed. Also, claim 25 is amended to depend from independent claim 24, and should be therefore allowed.

Allowable Subject Matter

Claims 26-47 are allowed at pages 5-6 of the Office Action. Applicant thanks the Examiner for the indication of allowable subject matter in this application.

As explained above, the rejection and the objection have been overcome. Upon entry of the amendments currently made to the claims, the present application has been put in condition for allowance.

Conclusion

Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims is allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Toyohiko Konno, Reg. No. L0053 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: APR 30 2010

Respectfully submitted,

By 
Gerald M. Murphy, Jr.
Registration No.: 28977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000